

AA. In State Residence

A New Mexico based TRS facility and operations residency, will be given a weight of 5% percent of the total weight of all evaluation factors in a proposal's evaluation.

BB. Economic Impact Statement

Offerors must include a detailed economic impact analysis of the effect of this program on New Mexico's economy. The funding for this program comes from New Mexico rate payers and the economic impact of the program must be defined in a detailed account using published methods.

The successful vendor must be prepared to present to State officials the economic benefit to the State and provide general information concerning types of employment, salary ranges, benefits, number of New Mexico resident on the payroll, etc. This information may be made public.

CC. Management Plan

The successful contactor must provide the Commission and the Department with monthly management reports.

The successful contactor must provide the Commission a monthly complaint report with updates and complete status.

The successful contactor will provide the Commission with evaluation reports describing the results of user evaluations.

The successful contactor will submit to the Commission and the Department an annual report summarizing operations for the States Fiscal Year with statistical summaries of usage, trends, complaints, traffic analysis, problem resolution initiatives, service performance, and traffic projection. This is due 45 calendar days after the end of the Fiscal Year.

Traffic report (automated in a database and accessed on Internet)

- Number of incoming calls
- Number of outgoing calls
- Number of Busy no answer
- Number of completed calls
- Number of abandoned calls
- Daily and weekly blockage rate
- Average answer time (daily, weekly and monthly)
- Average length of call (daily, weekly, and monthly)
- Usage patterns
- Number of CAs on duty
- Number of Spanish Speaking CAs on duty

- Number of TTY calls
- Number of voice calls
- Number of ASCII calls
- Trends analysis
- CA occupancy rate
- Outreach and complaint tracking.

DD. Management/transition Plan

It is of critical importance to the evaluation of the Offerors proposals to provide a detailed, specific plan for implementing the service, which has been proposed to a successful turn up date of July 1, 2005.

The plan will include details on how transition from the existing service to the new service will be accomplished. This will include arrangements to keep the existing telephone numbers.

Adequate lead-time and repetition of advertising is necessary, to notify users of the change. Offerors will include in the plan, a timeline with critical path, dates for major steps in the implementation process from contract award to TRS start-up date and for the first year after service has started.

EE. Start-Up

The Offeror may process calls through other centers during this transition period. All service must be processed through the New Mexico Relay Center by July 1, 2005. The Offeror shall include in the plan a time-line with critical dates for major steps in the implementation process from contract award through full implementation.

FF. Management Activities

The offeror will work with the State's Relay Administrator in developing management activities report.

GG. Project management and Project Status Report.

The offeror and the State Relay Administrator will attempt to agree upon management and specific reporting requirements. The State Relay Administrator shall be the final authority on reporting requirements.

HH. Management Plan/Approach

The TRS Offeror will provide a complete management plan defining management approach to providing the highest quality TRS. In addition, an organization chart depicting the Relay Centers proposed organization, administrative and operational, shall be submitted with the proposal.

A. Business Theme:

This is a RFP Firm Fixed Price Contract. All hardware and software upgrades and capacity expressions will be made within the cost and price structure of the original contract.

B. Acceptance Test:

The Offeror will provide a detailed acceptance plan demonstrating the system (hardware, software and operator) ability to meet all FCC and contract required performance levels. Where contract performance requirements exceed FCC requirements the contract will prevail. All future upgrades to the TRS must pass the same acceptance test.

A. Desirable Features

Internet Relay and Video Relay Services are internet-enabled TRS features, and, at the time of this RFP, are fully funded by the Interstate TRS Fund administered by the National Exchange Carrier Association with directives from the Federal Communications Commission (FCC). It is conceivable that in the near future the FCC may pass the costs for providing at least part of these services on to states for local and intrastate VRS and Internet Relay calls.

VII. RELAY CENTER STAFFING

The Offeror proposal shall include a plan to actively recruit individuals with experience in working with the deaf hard of hearing and/or speech disabled community. Priority shall be given to employing individuals with American Sign Language (ASL) fluency, relay service experience. Successful contactors shall provide a person fluent in ASL translation on duty at all times in the operator area of the Relay Center to assist operators with ASL translation.

A. Each proposal must include:

A job description for each employee classification.

Recruitment Plans.

B. Operator Monitoring

Relay Center operator positions must include a second headset adapter to allow the supervisor to monitor conversations. In addition, the supervisor must have the capability for remote silent monitoring of both the standard phone and TTY at each operator station. The Offeror proposal shall describe how this capability will be provided.

C. Disability Awareness

All Relay Center staff, including management, shall receive training in disability issues, ASL, deaf culture, hard of hearing issues, speech disabilities, diversity training, ethics, and confidentiality.

Each proposal must include an outline of a staff training plan indicating training topics and time frames, as well as individuals or organizations representing the above mentioned communities assisting with the training. Upon award of contract, a complete training manual must be provided to the Commission. Changes, updates, and revisions shall be provided to the Commission as they are incorporated into the training manual and/or given to operators.

D. Privacy

The successful contactor and their employees shall not use any information obtained from relay calls for any other services they may provide to users of the relay system and shall not make any such information available for sale.

E. Minimum Operator Qualifications

The successful contactor shall detail their employee recruitment and selection procedures, demonstrating that persons selected and employed as operators meet all proficiency requirements. Operators shall be able to quickly and accurately type a TTY relay message. This will include, but not to be limited to:

- Basic skills in English grammar and enunciation;
- A minimum typing speed of 60 words per minute;
- Spelling skills; Relay Agent must possess 12th (twelfth) grade spelling skills
- Ability to understand people using limited English, to translate limited written English, and to voice written English correctly.
- In the event an operator cannot translate ASL to English and visa versa, the successful contactor shall insure that a person fluent in ASL translation is on duty at all times in the operator area of the Relay Center to assist operators with ASL translation.
- All prospective operators shall take and pass a measurable, performance-based Relay Operator Proficiency Examination. This examination shall cover spelling, grammar, typing, dictation, procedures, characteristics of ASL as it may be reflected in the written language of TTY users, deaf culture, ethics, confidentiality, and professional judgment.
- This test shall have as its minimum requirement the proficiency skills for operators mandated by this RFP.
- Operators shall be tested at least annually.
- Trainees shall be identified to both customers of a telecommunications relay call at the onset of each conversation, mitigating potential for criticism of operator quality.

F. Operator Training

The successful contactor shall describe how ongoing operator training will be provided by including with the proposal an outline of a proposed operator-training plan.

The provisions for operator training shall include, but not be limited to, ASL gloss and grammar, deaf culture, needs of speech disabled users, operation of telecommunications relay equipment and TTY etiquette.

Training shall include both simulated and live on-line call processing.

Alternatively, the Offeror must demonstrate that existing staff members possess these skills.

Operators who are hired shall serve a probationary period established by company policies

G. Procedures for Relaying Communication

Operators must convey the full content, context, and intent of the communication they translate in accordance to FCC requirements. The key word is intent. Unless requested otherwise by a user, the operator shall relay all calls according to the following procedures:

Operators shall, to the best of their abilities, make the TTY user aware of the non-TTY user tone of voice. For example, the operator can type in parentheses that a person is (being rude), (yelling), (laughing), (crying), or other characteristics of behavior, or any

background noise that the operator hears. The operator will use terms to identify voice characteristic by typing statements like, (sounds angry), (sounds rude), (sounds impatient), etc.

Operators shall also keep the user informed of the status of the call, i.e. (dialing), (ringing), (busy), (disconnected), or (on hold). Operator shall maintain contact with the caller during hold period, for the purpose of receiving instructions from the caller such as hang up and dial again, or hang up and call another number.

The TTY user shall have the option of telling the operator what aspects of the call he/she will handle. For example, the TTY user may request to introduce Relay services to the called party rather than have the operator do it.

Operators shall type to the TTY user or verbalize to the non-TTY user exactly what is said from the onset to completion of the call, unless either customer specifically requests otherwise.

When the operator needs to explain the Relay to a standard phone user, the operator shall type (explaining Relay) for the benefit of the TTY user. Conversely, when the operator needs to explain Relay to a TTY user, the operator will inform the standard phone user that an explanation is taking place. (Upon request by the user, the operator shall not announce a call as a Relay call, permitting the caller to provide an explanation.) The operator shall have the option to inform the call recipient that the caller has a hearing or speech disability, unless the caller asks the operator not to do so.

The operator shall use a conversational tone of voice and not voice a conversation word for word as it appears on the screen. The tone of voice should be appropriate to the type of call being made when speaking for the TTY user.

Operators shall indicate to the TTY user if another person comes on the line.

Change of operators during a call is discouraged. If the change is necessary, both parties shall be informed. If a change of operators is requested by the TTY or standard phone user, without explanation, it shall be done without question to either party.

Operators, if requested by the caller, shall permit unlimited re-dials to a busy number.

All comments directed to either party by the operator shall be relayed. These comments shall be typed in parentheses, for example, (Will you accept a collect call?) All comments directed to the operator by either party shall also be relayed, for example, (Yes, I will accept the collect call.)

If either party uses the third person form of speech, the operator shall relay the statement in the third person.

To correct typing errors, operators shall continue in a forward direction by typing xx (common TTY convention for error) and retyping the word, rather than using the backspace key.

Operators shall verify spelling of proper nouns, numbers, and addresses that are spoken.

Relay user shall be given the operators identifying number and gender at the beginning of the Relay call. Upon request, the operator will be switched to an operator of the gender of the caller's choice.

The operator will stay on the line until both parties have terminated the call. If the called party wishes to speak to a supervisor, the operator is to hold onto the call while contacting a supervisor. The call is not to be dropped.

Operators shall not counsel, advise, or interject personal opinions or additional information into any Relay call. It is also important that operators shall not make value judgment on the profanity or obscenity or legality of any messages. Furthermore, operators are not to hold personal conversations with anyone calling the Relay Service.

Callers shall not be required to give their full names or the full name of the party they are calling. This information shall not be recorded in any form without the permission and knowledge of the caller (except for long distance billing purposes). If a full name would facilitate the call, the operator may ask for that information and explain the purpose of doing so. However, the operator shall not refuse to process a call if the caller will not give full names.

Operators will recognize any typed by a TTY user at the beginning of a call as indicating that the user is speech disabled. This convention shall be included in all Relay service informational material.

Operators will leave messages on answering machines or other voice processing systems if the standard phone or TTY caller activates one while making the call.

Automated Answering Machine Retrieval - This will decrease the amount of time it takes to process a call when an answering machine is detected. This feature is for customers who call the Relay and have the CA retrieve voice messages left on their voice answering machine. This feature eliminates the cumbersome and time-consuming task of redialing and reviewing the same recording several times.

Offerors shall propose procedures for fulfilling these requirements, and the procedures shall include the following steps;

The operator will inform the caller when an answering machine has been reached, and will transmit to the caller the full content of the outgoing message, unless otherwise directed by the caller.

The operator will ask the caller if he/she wishes to leave a message.

The operator will translate the caller complete message to the machine, either by voice or by TTY.

The operator will confirm to the caller that the message has been left.

The caller will only be charged for one call regardless of the number of re-dials required to capture the full outgoing message and leave a message.

Operators will retrieve messages from voice processing systems (answering machines, voice mail, etc.) and relay a TTY message to a standard phone user or a voice message to a TTY user. Offerors shall propose procedures for handling this requirement. Procedures shall include methods for obtaining any necessary system access codes from the user.

Confidentiality of Calls

- a. All calls shall be totally confidential which means no written or electronic record or notes shall be kept beyond the duration of the call.
- b. Operators and supervisory personnel shall not reveal information about any call, except the minimum necessary for billing purposes, including the information below.
- c. Operators must be required to sign a pledge of confidentiality promising not to disclose the identify of any callers or fellow Relay operators or any information obtained during the course of relaying calls, either during the period of employment as an operator or after termination of employment.
- d. When training new operators by the method of sharing past experience, trainers shall not reveal any of the following information:
 - names, genders, or ages of the parties to the call
 - originating or terminating points of the call
 - specifics of the information conveyed
- e. Operators shall not discuss, even among themselves or with their supervisors, any names or specifics of any Relay call, except in instances of resolving complaints.
- f. Operators may discuss the general situation that they need assistance with in order to clarify how to process a particular type of Relay call.
- g. Operators shall be trained to ask questions about procedures without revealing names or specific information that will identify the caller.
- h. The Offeror shall describe how uniform procedures will be maintained during the call distribution process in the event that calls must be temporarily transferred.
- i. Observing or listening to actual calls by anyone other than the

Relay operator is prohibited except for training or monitoring (by supervisors, the Department or Commission) purposes.

- j. Proposals shall outline the policy the Offeror will use to preserve confidentiality. Specific written confidentiality policies shall be developed immediately after contract award. Such policies may include protocols employees are encouraged to use to prevent unintentional disclosure of relayed conversations. A copy of the confidentiality policy shall be provided to users upon request.
- k. An operator or supervisor who, after investigation, is found to have violated the confidentiality rules and regulations shall either be reprimanded or terminated. Automatic termination for a second occurrence shall be imposed. Proposals shall specify the policy for reviewing alleged violations of confidentiality.
- l. The successful contactor shall be restricted to collecting only that personal information necessary to provide and bill for the Relay service being rendered. This information shall not be used for any other purposes.

Obscenity Directed to the Operator

- a. Operators do not have to tolerate obscenity directed at them. The proposal shall specify how the Offeror will handle these situations. It is acceptable to transfer callers using obscenities directed at the operator to a supervisor.

H. Operator Counseling

Offerors are required to outline a counseling and support program that will help operators deal with the emotional aspects of relaying calls. Because operators are not allowed to talk about their calls with other operators, friends, or family, operators need to have access to someone they can talk to and trust. They need to be able to talk about their emotions and learn ways to cope with their feelings. Those providing this staff support must have training in dealing with these situations. However, the operators shall not give the support person the names of the callers involved. The counseling support system must follow the confidentiality provisions discussed above.

I. Operator Identification

Relay system operators shall immediately identify themselves when answering a call by using the macro that states RMD Relay Operator X (F or M) where X indicates the number assigned to that operator and the letters F or M indicate the operator gender. The Offeror shall establish this method to allow easy identification of the operator in the event a complaint is filed.

Caller-provided Information. An Offeror may require that a caller provide NPA/NXX type information to identify the caller local calling area if that

information is necessary to distinguish local calls from toll calls and to allow for faster call set-up. The Offeror must specify how such information would result in faster call set-up times and provide justification that no other equipment is available which would avoid the necessity for callers to provide their phone number.

J. Policy and Procedures Manual

All Offerors shall provide with their proposal a comprehensive outline of a proposed Operator Policy and Procedures Manual which shall include, but not be limited to, confidentiality, handling of emergency and crisis calls, consequences of non-compliance with policies, and functions and roles of a Relay operator. Upon award, the successful contactor shall provide the Commission/Department with the Policies and Procedures Manual. Updates to the manual shall be given to the Commission/Department as they occur.

K. Emergencies

The 911 emergency telephone system was developed for use by the public to summon emergency aid and is intended to eliminate confusion during periods of crisis.

TTY users shall be encouraged to use the 911 system for direct contact with emergency response centers in emergencies.

Although all of New Mexico is covered by 911 emergency response centers prepared to handle TTY calls directly, the successful contactor shall develop a policy for handling and referring those emergency calls that it does receive.

The policy may include procedures for referring callers to emergency services and numbers other than 911 (i.e. suicide prevention or crisis hot-line.) The Offeror proposal shall describe how these types of emergencies will be processed.

VIII. BILLING

A. Billing Arrangements

The contractor must provide for charges for collect calls, person to person calls, calls to or from other alternate operator services, and calls charged to third party. All toll calls shall be billed to a New Mexico telephone number or a qualified calling/debit card.

The contractor must also provide billing to any New Mexico local exchange company calling card and to any non-proprietary inter-exchange company calling card. A complete description must be included on how callers will be billed for all calls. This description must include the Offerors procedures for obtaining billing information from the local exchange, whether the billing will be done in house or contracted, special credit cards that calls can be billed to, and a sample bill format.

The successful contractor must provide a method of billing charges for collect calls, person-to-person calls, calls to or from hotel rooms, and charged to a third party.

The Offeror must include a complete description of how users will be billed for all calls. The Offeror must describe the billing procedures to be employed for interstate and international calls, including rates to be charged to the user. This description must include the Offerors procedures for obtaining billing information from the local exchange companies, whether the billing will be performed in-house or contracted specific credit cards to which calls can be billed, and a sample bill format. Offerors must fully describe the billing system and billing process to be used, including identification of any subcontractors, the procedure describing how the billing record detail will be transmitted to the billing agent (if any), and the way in which charges will appear on the end users bill.

The successful contractor is required to deduct monthly from the invoice all revenues collected from customers for inter-state and international calls made through the Relay. Vendors are compensated by NECA on a per minute basis for these calls.

B. Call Billing Record

Contractors must specify the system for identifying and documenting long distance and toll calls for billing purposes. This report generating system must be fully automated. Contractors must fully describe the billing system and billing process that will be used, how the billing record detail will be transmitted to the billing agent (if any), how charges will appear on the users bill and which bill it will appear on.

The Offeror must provide a billing system that does not contain the use of algorithms for billing generation. The billing system must be stand alone, explicit and completely traceable to the raw data coming off the phone switch. Any bills that are in any way prepared through the use of algorithms and or formulas, are

not acceptable. Any cost proposals that contain either implicitly or explicitly algorithms or reference billing systems which algorithms will be considered non responsive and that Offeror will not continue on in the procurement.

The record shall contain, but not be limited to, the following information:

- a. Telephone number or credit card number to be billed (area code-prefix-line number)
- b. Originating telephone number (area code-prefix-line number)
- c. Terminating telephone number (area code-prefix-line number)
- d. Date Start time (defined as the time the calling party initially connected to the called parties answering machine or voice mail the called party's number or intercept for the called number)
- e. Finish time (the time when either the called party or the calling party hangs up)
- f. Call duration to the full second (the time between start time and finish time)

Extended Area Service (EAS). The system must ensure that relay users are not billed for toll usage when completing EAS calls, including calls made by or to subscribers of optional EAS. It shall be the Offerors responsibility to obtain information concerning these routes and calling plans.

Long distance and toll calls, placed and billed by the Relay provider, through the Relay Service shall be billed to the caller at a discounted rate. This rate shall include any local exchange and inter-exchange company tariff discounts available to TTY users to compensate for longer call lengths necessitated by the typing involved in TTY calls. The successful contactor will be required to file for TTY tariff discounts to the extent such discounts are currently not in place by the Offeror.

Calls to the Relay Service from within the United States shall be at no cost to the person making the call.

Flat Rate Calling Area Plans

If a customer has an expanded flat rate calling area, the successful contactor will enable subscribers of such plans, and other similar plans which may be adopted in the future, to make calls through the New Mexico Relay to points within the expanded local calling area without incurring any charge for the call.

Long Distance Service

- a. The successful contactor shall supply billing for intrastate, interstate, and international long distance services to user's choice of inter-exchange carriers at that carrier's rates and using that carrier's calling card, or phone debit card.
- b. The successful contactor shall provide interstate and international service through the Relay, recovering their cost through the

reimbursement mechanism established and maintained by the National Exchange Carrier Association, Inc. (NECA).

- c. Offerors must describe the proposed system for producing call detail information and for identifying and documenting long distance and toll calls for billing purposes. Call detail record generation must be automated and available for audit and real time monitoring.
- d. The call billing system must work from account codes equal to the size of the originating telephone number and the terminating telephone number to compute the actual cost. The system must generate all required billing data on an appropriate media to provide for printing the tariff rate on the callers regular telephone bill, so designated as a Relay Center call, and requiring the caller to pay said amount with his regular telephone bill payment. The call billing system must be automated and hand written tickets or call records are not acceptable.

The billing account record shall contain, at the minimum, the following information:

- a. Telephone number or credit card number to be billed (NPA-prefix-line number) Originating telephone number (NPA-prefix-line number)
- b. Terminating telephone number (NPA-prefix-line number)
- c. Date
- d. Start time (the actual time the calling party is initially connected to the called party or to an answering machine, at the called party's number, or intercept for the called number)
- e. End time (the time when either the called party or the calling party hangs up, whichever occurs first)
- f. Length of Call to the nearest full second (the amount of time in between start time and end time)

IX. EXPERIENCE AND REFERENCES

A. Organization/company experience

The Offerors must have implemented and successfully operated statewide Telecommunications Relay Services. The Offeror will provide a reference list in the technical proposal of comparable projects the Offeror has undertaken and for which the Offeror currently has operational responsibility. The list will include the name and telephone number of the contact person for each reference. The State shall have the right to contact any reference as part of the evaluation and selection process.

B. Project Implementation Staff

The Offerors proposal shall discuss the composition and organization of the staff implementing this contract, and who will be responsible for start-up of the Telecommunications Relay Service.

The Offerors project manager (the individual responsible and accountable for meeting all aspects of the contract resulting from this procurement), shall be identified by name and title. Resumes of all key individuals shall be included in the proposal. Resumes shall specify any and all experience of the project staff in implementing Telecommunications Relay Services. A chart of the project implementation staff organization shall also be included.

X. EVALUATION

The following is a summary of items where Offerors can be awarded evaluation points. These weighted factors will be used in the evaluation of the individual Offeror responses.

A. <u>EVALUATION POINT TABLE/SUMMARY</u>	<u>Possible Points</u>
Offeror's Organization	100
Offeror's Ability to be located in NM	50
Business References	150
Pricing	180
Compliance with Operating Technical, Functional Standards and Management Infrastructure Requirements	320
Offerors Understanding (Oral Presentation)	100
Renewal Year(s) Compensation	50
Work plan and schedule	25
Staffing Plan	<u>25</u>
Total=	1000

B. EVALUATION/FACTORS

This section describes how each of the point factors will be evaluated.

1. Organization and Service Completion. The Offeror's organization and ability to provide TRS services shall be evaluated by the Evaluation Committee. Up to 100 points may be earned based upon the ability of the offeror's organization to accomplish typical and anticipated work. The better structured and equipped, the more points will be awarded.
2. Preference Offeror. will be awarded additional 50 points if located in New Mexico and be able to maintain up to fifteen (15) public access VRS around New Mexico.
3. Business References. Offerors references shall be evaluated via structured telephone interviews to be conducted by members of the Evaluation Committee or other individuals appointed by the Evaluation Committee. Up to 150 points may be earned based upon references' opinions about the offerors service responsiveness, service quality continuing management support, commitments made and kept or not kept, and perceived value. The offerors must provide a list of their previous 5 relay contract awards from which the Department may pick or use all of them.
4. Pricing. Offerors' price for implementation and operation of the TRS which is mandatory for three year from the start of the contract shall be examined by the Evaluation Committee for direct price comparisons between offerors. Up to 180 points may be earned based upon pricing most advantageous to the state. Pricing shall be awarded points according maximum performance and best-cost performance.

Services will be broken up into four separate pricing categories; one pricing by per minute will offered for TRS which is mandatory to total up to 60 points, one price by per minute for CAPTEL which is optional, up to 40 points possible, one price based on a budget per year for Outreach which is mandatory and will be reimbursable, up to 50 points possible, Last, one price based on a budget per year for Video Relay Service (VRS) terminals which is mandatory and will be reimbursable up to 15 terminals, 30 points possible. See Cost Form Table, Appendix - C.

All systems hardware and software will be sized so that at peak load, hardware or software is never operating at more than 75% of its capacity. When systems reach 75% of capacity, or more, they will be upgraded to maintain 25% reserve capacity. Offerors proposals must provide a detailed, specific, objective and verifiable method of providing this

It is not the intent of this procurement to unduly burden the contractor. However, it is expected that the offeror should make every possible effort in building their cost proposals to provide the State of New Mexico, the best, cost and management performance in the implementation of this contract. It is a basic part of this program to maintain all requirements on an on-going basis. This is directly linked to the FCC Docket driving this procurement as well as the State of New Mexico Statute, Chapter 54 and the intent of the Office of Communication to provide equal access to people with hearing and speech impairments.

The offerors should quantify in detail, in their cost proposal, any and all innovative cost and management methodologies that will provide the state with optimum cost performance and how these methodologies will be applied to the operation of the TRS while maintaining all operational, technical, functional, management and reporting requirements of the programs.

All toll charges not chargeable to the TRS clients will be paid to the contractor by the Department. The Department will authorize a discount of 50% to the user to offset the additional time taken in TRS call compared with non-TRS calls. For uncompleted call attempt.

5. Compliance With Technical Specification (Operating Technical, Functional Standards And Management Plan) All items in this section are mandatory. Compliance with all items in this section provides ZERO points for the offeror. Non-compliance with any part of this section will render the offeror's proposal non-responsive. Offerors who provide responses to these items that exceed the RFP (FOC) mandates can earn up to a maximum of ~~375~~ 320 points for this section. In addition the ability of the offeror to provide the highest quality TRS, in manufacturers latest revisions and upgrades will weigh heavily in the awarding of points for this section.
6. Offerors Understanding (Oral Presentation). Finalist offerors shall be awarded up to 100 points for their oral presentation based upon clarity of presentation, ability to answer questions and demonstrated understanding of this procurement.

7. Renewal Year(s) Compensation: The TRS operating pricing and TRS labor pricing will be evaluated in accordance with the cost evaluation formula below. Up to 50 points may be awarded. Should the offeror elect to not require increases in compensation, all 50 points shall be awarded.
8. Work plan and Schedule: The Evaluation Committee will evaluate Offerors' work plans and schedules to secure personnel and facilities and equipment resources appropriate to July 1, 2005 full responsibility state date. Up to 25 points will be awarded.
9. Staffing Plans: Staffing plans and personnel qualifications will be evaluated for appropriateness and whether or not they are realistic. Up to 25 points may be awarded based upon the skills, qualifications, and experience levels of the proposed staff.

C. EVALUATION PROCESS

1. All offeror proposals will be reviewed for compliance with the mandatory requirements stated within the RFP. Proposals deemed non-responsive will be eliminated from further consideration.
2. The Procurement Manager may contact the offeror for clarification of the response as specified in section II, Paragraph B.8.
3. The Evaluation Committee may use other sources of information to perform the evaluation as specified in Section II Paragraph C.18.

Responsive proposals will be evaluated of the factors in Section V which have been assigned a point value. The responsible offerors with the highest score will be selected as finalist offerors based upon the proposal submitted. Finalist offerors who are asked or choose to submit revised proposals for the purpose of obtaining best and final offers will have their points recalculated accordingly. Points awarded from the oral presentation will be added to the previously assigned points to attain final scores. The responsible offeror whose proposal is most advantageous to the Agency, taking into consideration the evaluation factors in Section V, will be recommended for contract award to the State Purchasing Agent as specified in Section II, Paragraph B.13. Please note however, that a serious deficiency in the response to any one factor may be grounds for rejection regardless of overall score.

ACKNOWLEDGMENT OF RECEIPT FORM

In acknowledgment of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy, beginning with the title page and table of contents, and ending with appendix C.

The acknowledgment of receipt should be signed and returned to the Procurement Manager no later than 4:00 PM on January 21, 2005 (facsimile submissions are acceptable if the sender confirms receipt by telephone with the Procurement Manager.) Only potential offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all offeror written questions and the Agency's written responses to those questions as well as RFP amendments if any are issued.

REQUESTS FOR PROPOSALS

TELECOMMUNICATIONS RELAY SERVICES

ACKNOWLEDGEMENT OF RECEIPT FORM

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy, beginning with the title page and table of contents, and ending with C.

The acknowledgement of receipt should be signed and returned to the Procurement Manager no later than close of business on 01/21/05. Only potential Offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all Offeror written questions and the Agency's written responses to those questions as well as RFP amendments, if any are issued.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO.: _____

E-MAIL: _____ FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SIGNATURE: _____ DATE: _____

This name and address will be used for all correspondence related to the Request for Proposal.

Firm does/does not (circle one) intend to respond to this Request for Proposals.

Tom Dillon
Procurement Manager
Commission for Deaf and Hard of Hearing
P.O. Box 5138
Santa Fe, New Mexico 87502-51380

Appendix-B CONTRACT TERMS AND CONDITIONS

STATE OF NEW MEXICO
PROFESSIONAL SERVICES CONTRACT
RELAY SERVICES

THIS AGREEMENT is made and entered into by and between the GENERAL SERVICES DEPARTMENT State of New Mexico, herein after referred to as the "Procuring Agency", and (insert contractor name) herein after referred to as the "Contractor."

IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

A. Definitions

"ADA" means Americans with Disabilities Act.

"Access Line" is the facility that allows the customer of a local exchange company or radio communications service to access the local or toll network, with the exception of dedicated facilities such as private line.

"Agency" means the New Mexico General Services Department.

"ASL" "American Sign Language" is a visual language based on hand shape, position, movement, and orientation to each other and the body.

"ASCII" is an acronym for American Standard Code for information Enter exchange which employs an eight bit code and can be operate at any standard transmission rate including 300, 1200, 2400 and higher.

"Baudot" is a seven bit code, only five of which are information bits. Baudot is used by some test telephones to communicate with each other at 45.5 baud rate.

"CDHH" New Mexico Commission for the Deaf and Hard of Hearing.

"Common Carrier or Carrier" is any common carrier engaged in interstate telecommunications by wire or radio, or any common carrier engaged in intrastate telecommunications by wire or radio, (New Mexico is a single LATA state).

"Common Assistant" A person who translates conversation for text to voice and from voice to text between two end users of TRS.

"Condition Power" means a number of methods for providing power to sensitive telecommunication or computer equipment. Depending upon the telecommunications or computer equipment involved, it may be as little as surge protection alone, or it could extend to rectification of the lice AC and a large battery bank capable of carrying the load for several hours. Typical "condition power" installations convert line AC to DC which maintains a battery bank from which the telecommunications or computer equipment is

normally powered. Depending on the application, the batteries are sized to carry the full load from a few minutes to several hours. The common term for this arrangement is Uninterruptible Power System (UPS). Installations where telecommunications or computer equipment is normally powered directly from line AC but with a battery back-up arrangement is not "conditioned power".

"Contract" means an agreement for the procurement of items of tangible personal property or services.

"Contractor" shall mean successful offeror.

"Determination" means the written document of a decision of a procurement manager including findings of fact required to support decisions. A determination becomes part of the procurement file to which it pertains.

"DFA" means Department of Finance and Administration for the State of New Mexico.

"Documentation" refers to manuals, handbooks, maintenance libraries, and other publications listed in the Equipment and Service Schedule or supplied with Equipment listed in the Equipment and Services Schedule or supplied connection with Services.

"Desirable" The terms "may", "can", "should", "preferably", or "prefers" identify a desirable or discretionary item or factor.

"Evaluation Committee" means a body appointed by the Agency management to perform the evaluation of offeror proposals.

"Evaluation Committee Report" means a report prepared by the Procurement Manager and the Evaluation Committee for submission to the State Purchasing Agent for contract award that contains all written determinations resulting from the conduct of a procurement requiring the evaluation of competitive sealed proposals.

"Finalist" is defined as an offeror who meets all the mandatory specifications of the Request for Proposal and whose score on evaluation factors is sufficiently high to qualify that offeror for further consideration by the Evaluation Committee.

"Hearing Carry Over" is a reduced form of TRS where the person with the speech disability is able to listen to the other end user and in reply, the CA speaks the text as typed by the person with the speech disability. The CA does not type any conversation.

"Chief Information Officer" (CIO) means an executive appointed by the Governor of the State of New Mexico to oversee and manage the state's data processing and telecommunications.

"Mandatory" The terms "must", "shall", "will", "is required", or "are required", identify a mandatory item or factor. Failure to meet a mandatory item or factor will result in the rejection of the offeror's proposal.

"Offeror" means any person, corporation, or partnership who chooses to submit a proposal.

"Procurement Manager" means the person or designee authorized by the Agency to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

"Request for Proposals" or "RFP" means all documents, including those attached or incorporated by reference, used for soliciting proposals.

"Responsible Offeror" means an offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

"Responsible Offer" or "Responsive Proposal" means an offer or proposal which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity, or delivery requirements.

"State" means the State of New Mexico.

"State Purchasing Agent" or "SPA" means the purchasing agent for the State of New Mexico or a designated representative thereof.

The terms "must", "shall", "will", "is required", "are required", identify a mandatory item or factor. Failure to meet a mandatory item or factor will result in the rejection of the offeror's proposal.

Abbreviations include the following: General Services Department (GSD), Administrative Services Division (ASD), Commission for the Deaf and Hard of Hearing (CDHH) Chief Information Officer (CIO), Request for Proposals (RFP),

B. Scope of Work

The contractor shall be responsible for the implementation of the state's telecommunications relay services and associated equipment. To create TRS that fulfills the purpose described in the State of New Mexico statute Chapter 54 and adheres to all federal regulations presented in FCC Docket 98-67.

The contractor will be responsible for its facilities, telecommunications equipment, software and operating staff. The transmission circuits used shall meet or exceed FCC inter-exchange performance standards for circuit loss and noise.

All telecommunication consoles will be capable of receiving and transmitting in Baudot and ASCII codes. It is also required that relay systems be capable of automatically identifying inbound TTY signals as either ASCII or Baudot.

The Department wishes to select a contractor with successful experience in operating a TRS providing a level and consistent service, supporting all FCC service and performance regulations applicable Telecommunications Relay Services. The Department also states that the existing relay has provided excellent service to the people of New Mexico and expects that the contractor continue this level of service in all areas of performance including transition should that be required.

This procurement is restricted to establishment and operation of an intrastate Telephone Relay Service for the State of New Mexico. The contractor is required to cooperate with local exchange carriers as required by the Department.

This section contains **MANDATORY STANDARDS** and is divided into four parts reflecting the regulated performance standards required of TRS providers by the Federal Communications Commission. They are:

- b. Operational
- c. Technical
- d. Functional
- e. Management Plan

Request for Proposals No. 50-000-00-00066 and the contractor's proposal are incorporated by reference into this contract and are made a part of this contract. In addition, each purchase order that is accepted by the contractor will become a part of the contract. In the event of any conflict among these documents, the following order of precedence shall apply:

- a. the terms and conditions of this document;
- b. the purchase order;
 - c. the request for proposals;
 - d. the contractor's proposal; and the contractor's standard contract terms and conditions (which may or may not have been submitted as

part of the contractor's proposal).

C. Payment Provisions

The Agency may procure telecommunications relay services at prices equal to or less than the prices listed in the Proposal. All payments under this contract are subject to the following provisions:

D. Acceptance

In accordance with Section 13-1-158 NMSA 1978, the Agency shall determine whether all products and telecommunications relay services delivered to it meet the contractor's published specifications. No payment shall be made for any products or telecommunications relay services until the products or telecommunications relay services have been accepted in writing by the procuring agency. Unless otherwise agreed upon between the Agency and the contractor, within fifteen (15) days from the date the Agency receives written notice from the contractor that payment is requested for telecommunications relay services or within fifteen (15) days from the receipt of products, the Agency shall issue a written certification of complete or partial acceptance or rejection of the products or telecommunications relay services. Unless the Agency gives notice of rejection within the fifteen (15) day period, the products or telecommunications relay services will be deemed to have been accepted.

E. Payment of Invoice

Payment will be made to the contractor's designated mailing address. In accordance with Section 13-1-158(c) NMSA 1978, payment shall be tendered to the contractor within sixty (60) days of the date of certification. After the sixtieth day from the date that written certification of acceptance is issued, interest shall be paid on the unpaid balance due to the contractor at the rate of one and one-half percent per month.

F. Payment of Taxes

Payment of taxes for any money received under this contract shall be the contractor's sole responsibility and shall be reported under the contractor's federal and state tax identification numbers. The contractor may invoice the Agency for New Mexico gross receipts tax or local option taxes for telecommunications relay services and labor.

G. Invoices

Invoices shall be submitted to the Agency.

H. Contract Term

The initial contract term shall begin on ~~April 18,~~ July 1, 2005, or as soon as possible thereafter, for a term of ~~four~~ three (3) years. Subject to the exception